

In re U.S. Patent Application No.: 10/712,121
Filed on November 13, 2003
Preliminary Amendment

Amendments to the Claims:

1. (Currently Amended) A mounting bracket for securing a plank to a joist, said mounting bracket comprising: a continuous piece of structural material of a predetermined length wherein the cross-section of said mounting bracket is curved or angled, said mounting bracket further comprising:

a planar, solid separating flange portion;

a joist-fastening flange portion connected to said separating flange portion, which is approximately perpendicular to said separating flange portion, said joist-fastening flange portion having a hole therein for receiving a fastener for fastening said mounting bracket to the joist;

a support flange portion connected to said joist-fastening flange portion, said support flange portion having an access hole therein wherein said access hole is aligned with said joist fastening hole; and

a planar plank-fastening flange portion connected to said support flange portion, said planar plank-fastening flange portion having a hole therein for receiving a fastener for fastening said mounting bracket to the plank and wherein said separating flange portion, said joist fastening flange portion, said support flange portion and said plank fastening flange portion transition uninterrupted one into another to form said mounting bracket.

2. Cancelled

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3. (Currently Amended) The mounting bracket of claim 1, wherein said joist-fastening flange portion extends from said separating flange portion at an angle of approximately 90°.

4. Cancelled

5. Cancelled

6. (Currently Amended) The mounting bracket of claim 1 wherein said separating flange portion and said plank-fastening flange portion are substantially co-planar.

7. (Currently Amended) The mounting bracket of claim 1 wherein said support flange portion extends from said joist-fastening flange portion at an angle of approximately 35 degrees.

8. (Currently Amended) A mounting bracket assembly for mounting a plank to a joist, comprising:

a planar, solid separating flange portion for placement between the plank and the joist; a joist-securing flange portion adjacent said separating flange portion, wherein said joist-securing flange portion is capable of being secured to the joist; a support flange portion adjacent said joist-securing flange portion, said support flange portion having an access hole therein wherein said access hole is aligned with a joist fastening hole; and, a planar plank-securing flange portion supported by said support flange portion, wherein said plank-securing flange portion is capable of being secured to the plank.

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9. (Currently Amended) The assembly of claim 8 further comprising a fastener for securing said joist-securing flange portion to said joist.
10. (Original) The assembly of claim 9 wherein said securing means is selected from the group consisting of a screw, a nail or a bolt.
11. (Currently Amended) The assembly of claim 8 further comprising a fastener for securing said plank-securing flange portion to said plank.
12. (Original) The assembly of claim 11 wherein said securing means is selected from the group consisting of a screw, a nail or a bolt.
13. (Currently Amended) The assembly of claim 8 further comprising a spacer portion between said plank-securing flange portion and said support flange portion.
14. (Original) The assembly of claim 13 wherein said spacer portion is curved.
15. (Original) A method of securing a plank to a joist comprising the steps of:
- providing a mounting bracket having a first portion, a second portion and a third portion, said second portion being positioned between said first and third portions;
 - placing said first portion of said mounting bracket between a top surface of the joist and a plank;
 - securing said second portion of said mounting bracket to a side surface of the joist; and,

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securing said third portion of said mounting bracket to the plank.

16. (Original) The method of claim 15 wherein said second portion of said mounting bracket is secured to said side surface of said joist with a fastener.

17. (Original) The method of claim 15 wherein said third portion of said mounting bracket is secured to said plank with a fastener.

18. (New) The mounting bracket of claim 1, wherein one or more weep holes are provided.

19. (New) The mounting bracket of claim 18 wherein said weep holes are located at the intersection of said joist fastening flange portion and said support flange portion.

20. (New) The mounting bracket of claim 1, wherein said mounting bracket is affixed to the side surface of said joist and the bottom surface of said plank.

21. (New) The mounting bracket of claim 1 wherein said structural material is selected from the group consisting of steel, aluminum, plastic or any other structural material.